

FILED
U.S. DISTRICT COURT

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

DISTRICT OF UTAH

BY:
DEPUTY CLERK

KIET C. MA,

Plaintiff,

vs.

JOHN E. POTTER,

Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:08 CV 236 TC

The court referred this case to Magistrate Judge David O. Nuffer pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B). On September 8, 2010, Judge Nuffer, in a very thorough Report and Recommendation,¹ recommended that Plaintiff's case be dismissed because the Plaintiff has not properly served the Defendant with the complaint.

The parties were given ten days to file objections to the Report and Recommendation. No objections were filed.

The court has carefully reviewed the Report and Recommendation and relevant materials and agrees with the recommendation of the Magistrate Judge. The Report and Recommendation is adopted as the order of the court. Plaintiff's case is dismissed for failure to provide service

¹(Dkt. 26)

pursuant to Rule 4 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED THIS 28th day of September, 2010.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

TENA CAMPBELL
Chief Judge